IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH, NAGPUR

Contempt Petition No.219 of 2007.

[Nitin S/o Govindrao Gawali and others]

Vs.

[Ramesh Narayanrao Pise and others]

Office Notes, Office Memoranda of Coram,appearances,Court's orders or directions and Registrar's orders.	**Court's or Judge's orders**

Shri Abhay Sambre, Advocate for the applicant.

Coram: A. H. JOSHI, J.
Dated: 19th November 2007.

1. The contempt petition contains two statements in para 5 at page 5 of the petition which reads as follows:

> *It is submitted that in spite of the above order passed by the Hon'ble Court dated 23/01/2004 and 30/08/2004 the respondent have started the construction work of the Lower Paingaga Project and on 12/7/2007 had been to the affected area for the measurement of the land.*
>
> *It is submitted that as soon as the respondents have started joint*

measurement, the villagers have enquired with the respondents about sanction from the Central Government and the r3espondents have informed that the sanction is awaited.
[Quoted from para 5 at page 5 of the writ petition]

2. When called upon to substantiate, the learned Advocate for the petitioner has pointed out to this Court that the averments contained in the first statement are conclusions.

3. The contents of First Information Report Annexure-8, however, supports the second statement noted in para no.1. Even then on considering the submissions of petitioner considered from any angle, disobedience of unconditional undertaking given to this Court in the earlier petition is not even barely described, much less made out.

4. In these premises, the

petition has no merit, and any cognizance of alleged contempt cannot be taken. The petition is, therefore, disposed of.

JUDGE

Sbm